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WHITE & CASE

LIMITED LIABILITY PARTNERSHIP

1155 AVENUE OF THE AMERICAS NEW YORK, NEW YORK 10036-2787

TELEPHONE: (1-212) 819-8200 FACSIMILE: (1-212) 354-8113

DIRECT DIAL: (1-212) 819-8680 E-MAIL: jmillones@ny.whitecase.com

ANKARA BANGKOK BOMBAY/MUMBAI HO CHI MINH CITY HONG KONG JAKARTA SHANGHAI SINGAPORE

> JEDDAH RIYADH

MEXICO CITY SÃO PAULO

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August 8, 2003

STOCKHOLM



08-08-2003

U.S. Patent & TMOfc/TM Mall Ropt Dt. #22

VIA EXPRESS MAIL NO. EL286876968US

Box TTAB No Fee Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, Virginia 22202-3513

Re: Opposition No. 91152156 by Pro-Football, Inc. and NFL Properties LLC against David S. Campbell

To the Assistant Commissioner:

I enclose the original of Opposers' Motion To Strike Notice Of Reliance, In Its Entirety, As Untimely. I have served a copy of this Motion upon David S. Campbell. I enclose a copy of the certificate of service attesting to that fact.

Please stamp and return the enclosed postcard to acknowledge receipt of these materials. Please also conduct all correspondence with regard to the above-referenced opposition with the undersigned.

Sincerely,

Jennifer Johnson Millones

Enclosures

cc: David M. Proper, Esq. David S. Campbell, Esq.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN THE UNITED ST BEFORE THE TR PRO-FOOTBALL, INC. and NFL PROPERTIES LLC,

Opposers,

08-08-2003

-against-

U.S. Patent & TMOfc/TM Mail Ropt Dt. #22

Opposition No. 91152156

DAVID S. CAMPBELL,

Applicant.

OPPOSERS' MOTION TO STRIKE NOTICE OF RELIANCE, IN ITS ENTIRETY, AS UNTIMELY

Robert Lloyd Raskopf Jennifer Johnson Millones

WHITE & CASE LLP 1155 Avenue of the Americas New York, New York 10036-2787

Telephone: (212) 819-8200 Facsimile: (212) 354-8113

E-mail: rraskopf@whitecase.com

Opposers Pro-Football, Inc. and NFL Properties LLC submit this Motion to Strike pursuant to TBMP §§ 532, 707.02(b)(1) for an Order striking Applicant's Notice of Reliance.

ARGUMENT

Applicant filed his notice of reliance on August 6, 2003 — nearly a month after his testimony period closed on July 9, 2003. Accordingly, the Board should strike Applicant's Notice of Reliance (and, thus, the evidence submitted thereunder), in its entirety, as untimely. See, e.g., Jean Patou Inc. v. Theon Inc., 18 U.S.P.Q.2d 1072, 1075 (T.T.A.B. 1990) (granting motion to strike untimely notice of reliance); The May Dep't Stores Co. v. Prince, 200 U.S.P.Q. 803, 805 n.1 (T.T.A.B. 1978) (granting motion to strike untimely notice of reliance).

CONCLUSION

For these reasons, Opposers respectfully request that the Board issue an order striking Applicant's Notice of Reliance and the evidence submitted thereunder.

Dated: New York, New York August 8, 2003

Respectfully submitted,

WHITE & CASE LLP

Robert Lloyd Raskopf Jennifer Johnson Millones

1155 Avenue of the Americas New York, New York 10036

Tel: (212) 819-8200 Fax: (212) 354-8113

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number: EL286876968US

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in a box addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive,

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Arlington, Virginia 22202-3513 on this 8th day of August 2003.	
Signature:	
Jennifer Johnson Millones	

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 2.119, I certify that I transmitted a copy of OPPOSERS' MOTION TO STRIKE NOTICE OF RELIANCE, IN ITS ENTIRETY, AS UNTIMELY by Federal Express, to David S. Campbell, Applicant *pro se*, whose address is 6100 Uptown Blvd., N.E., Suite 500, Albuquerque, New Mexico 87110 on August 8, 2003.

Jennifer Johnson Millones